

Sec. 9. DIRECTIONS TO CODE EDITOR. The Code editor may transfer section 10C.6 to another chapter in the 2005 Code, and correct internal references as necessary in order to enhance the readability of the Code.

Sec. 10. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 18, 2000

CHAPTER 1198

SCHOOL FINANCE — SUPPLEMENTARY WEIGHTING

H.F. 2496

AN ACT providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 257.11, Code 1999, is amended to read as follows:

257.11 SUPPLEMENTARY WEIGHTING PLAN.

~~In order to provide additional funds for school districts which send their resident pupils to another school district or to a community college for classes, which jointly employ and share the services of teachers under section 280.15, which use the services of a teacher employed by another school district, or which jointly employ and share the services of a school superintendent under section 280.15 or 273.7A, a supplementary weighting plan for determining enrollment is adopted as follows:~~

1. REGULAR CURRICULUM. Pupils in a regular curriculum attending all their classes in the district in which they reside, taught by teachers employed by that district, and having administrators employed by that district, are assigned a weighting of one.

2. ~~SHARED CLASSES OR TEACHERS DISTRICT-TO-DISTRICT SHARING.~~

~~a. In order to provide additional funds for school districts which send their resident pupils to another school district, which jointly employ and share the services of teachers under section 280.15, or which use the services of a teacher employed by another school district, a supplementary weighting plan for determining enrollment is adopted.~~

~~b. If the school budget review committee certifies to the department of management that the shared classes or teachers would otherwise not be implemented without the assignment of additional weighting, pupils attending classes in another school district or a community college, attending classes taught by a teacher who is employed jointly under section 280.15, or attending classes taught by a teacher who is employed by another school district, are assigned a weighting of one plus an additional portion equal to one times the percent forty-eight hundredths of the percentage of the pupil's school day during which the pupil attends classes in another district or community college, attends classes taught by a teacher who is jointly employed under section 280.15, or attends classes taught by a teacher who is employed by another school district. A pupil attending a class in which students from one or more other school districts are enrolled and the class is taught via the Iowa communications network is not deemed to be attending a class in another school district for the purposes of this subsection and the school district is not eligible for additional weighting for that class under this subsection.~~

School districts that have executed whole grade sharing agreements under section 282.10 through 282.12 beginning with the budget year beginning on July 1, 1993, and that received supplementary weighting for shared teachers or classes under this subsection for the school year ending prior to the effective date of the whole grade sharing agreement shall include in its supplementary weighting amount additional pupils added by the application of the supplementary weighting plan, equal to the pupils added by the application of the supplementary weighting plan pursuant to this subsection in the budget year beginning July 1, 1992. If at any time after July 1, 1993, a district ends a whole grade sharing agreement with the original district and does not enter into a whole grade sharing agreement with an alternative district, the school district shall reduce its supplementary weighting amount by the number of pupils added by the application of the supplementary weighting in this subsection in the budget year beginning July 1, 1992, in the budget year that the whole grade sharing agreement is terminated.

3. **WHOLE-GRADE SHARING.** For the budget years beginning July 1, 1991, and July 1, 1992, in districts that have executed whole grade sharing agreements under sections 282.10 through 282.12, the school budget review committee shall assign a weighting equal to one plus an additional portion of one times the percent of the pupil's school day in which a pupil attends classes in another district or a community college, attends classes taught by a teacher who is employed jointly under section 280.15, or attends classes taught by a teacher who is employed by another district. The assignment of additional weighting to a school district shall continue for a period of five years. If the school district reorganizes during that five year period, the assignment of the additional weighting shall be transferred to the reorganized district until the expiration of the five year period. If a school district was receiving additional weighting for whole grade sharing under section 442.39, subsection 2, Code 1980, the district shall continue to be assigned additional weighting for whole grade sharing by the school budget review committee under this subsection so that the district is assigned the additional weighting for whole grade sharing for a total period of five years.

4. **PUPILS INELIGIBLE.** A pupil eligible for the weighting plan provided in section 256B.9 is not eligible for the weighting plan provided in this section.

5. **SHARED SUPERINTENDENTS.** For the budget years beginning July 1, 1991, and July 1, 1992, pupils enrolled in a school district in which the superintendent is employed jointly under section 280.15 or under section 273.7A, are assigned a weighting of one plus an additional portion of one for the superintendent who is jointly employed times the percent of the superintendent's time in which the superintendent is employed in the school district. However, the total additional weighting assigned under this subsection for a budget year for a school district shall not exceed seven and one half and the total additional weighting added cumulatively to the enrollment of school districts sharing a superintendent shall not exceed twelve and one half. The assignment of additional weighting to a school district shall continue for a period of five years. If the school district reorganizes during that five year period, the assignment of the additional weighting shall be transferred to the reorganized district until the expiration of the five year period.

If a district was receiving additional weighting for superintendent sharing or administrator sharing under section 442.39, subsection 4, Code 1980, the district shall continue to be assigned additional weighting for superintendent sharing or administrator sharing by the school budget review committee under this subsection so that the district is assigned the additional weighting for sharing for a total period of five years.

For purposes of this section, "superintendent" includes a person jointly employed under section 273.7A or section 280.15 to serve in the capacity of a school superintendent and who holds a superintendent's endorsement issued under chapter 272 by the board of educational examiners.

6. **SHARED MATHEMATICS, SCIENCE, AND LANGUAGE COURSES.** For the budget years beginning July 1, 1991, and July 1, 1992, a school district receiving additional funds under subsection 2 or 3 for its pupils at the ninth grade level and above that are enrolled in

sequential mathematics courses at the advanced algebra level and above; chemistry, advanced chemistry, physics or advanced physics courses; or foreign language courses at the second year level and above shall have an additional weighting of one pupil added to its total.

~~7. CALCULATION OF WEIGHTS. The school budget review committee shall calculate the weights to be used under subsections 2 and 3 to the nearest one hundredth of one and under subsection 5 to the next highest one thousandth of one. To the extent possible, the moneys generated by the weighting shall be equivalent to the moneys generated by the one-tenth, five-tenths, and twenty-five thousandths weighting provided in section 442.30, Code 1980.~~

~~c. Pupils attending class for all or a substantial portion of a school day pursuant to a whole grade sharing agreement executed under sections 282.10 through 282.12 shall not be eligible for supplementary weighting pursuant to this subsection.~~

~~3. DISTRICT-TO-COMMUNITY-COLLEGE SHARING.~~

~~a. In order to provide additional funds for school districts which send their resident pupils to a community college for classes, a supplementary weighting plan for determining enrollment is adopted.~~

~~b. If the school budget review committee certifies to the department of management that the class would not otherwise be implemented without the assignment of additional weighting, pupils attending a community college-offered class or attending a class taught by a community college-employed teacher are assigned a weighting of forty-eight hundredths of the percentage of the pupil's school day during which the pupil attends class in the community college or attends a class taught by a community college-employed teacher. The following requirements shall be met for the purposes of assigning an additional weighting for classes offered through a sharing agreement between a school district and community college. The class must be:~~

~~(1) Supplementing, not supplanting, high school courses.~~

~~(2) Included in the community college catalog or an amendment or addendum to the catalog.~~

~~(3) Open to all registered community college students, not just high school students.~~

~~(4) For college credit and the credit must apply toward an associate of arts or associate of science degree, or toward an associate of applied arts or associate of applied science degree, or toward completion of a college diploma program.~~

~~(5) Taught by a teacher meeting community college licensing requirements.~~

~~(6) Taught utilizing the community college course syllabus.~~

~~(7) Of the same quality as a course offered on a community college campus.~~

~~4. AT-RISK PROGRAMS AND ALTERNATIVE SCHOOLS.~~

~~a. In order to provide additional funding to school districts for programs serving at-risk pupils and alternative school pupils in secondary schools, a supplementary weighting plan for at-risk pupils is adopted. A supplementary weighting of forty-eight ten-thousandths per pupil shall be assigned to the percentage of pupils in a school district enrolled in grades one through six, as reported by the school district on the basic educational data survey for the base year, who are eligible for free and reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, multiplied by the budget enrollment in the school district; and a supplementary weighting of one hundred fifty-six one-hundred-thousandths per pupil shall be assigned to pupils included in the budget enrollment of the school district. Amounts received as supplementary weighting for at-risk pupils shall be utilized by a school district to develop or maintain at-risk pupils' programs, which may include alternative school programs.~~

~~b. Notwithstanding paragraph "a", a school district which received supplementary weighting for an alternative high school program for the school budget year beginning July 1, 1999, shall receive an amount of supplementary weighting for the next three school budget years as follows:~~

(1) For the budget year beginning July 1, 2000, the greater of the amount of supplementary weighting determined pursuant to paragraph "a", or sixty-five percent of the amount received for the budget year beginning July 1, 1999.

(2) For the budget year beginning July 1, 2001, the greater of the amount of supplementary weighting determined pursuant to paragraph "a", or forty percent of the amount received for the budget year beginning July 1, 1999.

(3) For the budget year beginning July 1, 2002, and succeeding budget years, the amount of supplementary weighting determined pursuant to paragraph "a".

If a school district receives an amount pursuant to this paragraph "b" which exceeds the amount the district would otherwise have received pursuant to paragraph "a", the department of management shall annually determine the amount of the excess that would have been state aid and the amount that would have been property tax if the school district had generated that amount pursuant to paragraph "a", and shall include the amounts in the state aid payments and property tax levies of school districts. The department of management shall recalculate the supplementary weighting amount received each year to reflect the amount of the reduction in funding from one budget year to the next pursuant to subparagraphs (1) through (3). It is the intent of the general assembly that when weights are recalculated under this subsection, the total amounts generated by each weight shall be approximately equal.

c. If the amount to be received under paragraph "a" or "b" by a school district or a consortium of school districts is less than fifty thousand dollars and the school district or consortium received funds under section 279.51, subsection 1, paragraph "c" or "e", Code 1999, for school-based youth services during the budget year beginning July 1, 1999, such school district or consortium shall receive a total amount under this subsection of fifty thousand dollars for each of the budget years beginning July 1, 2000, and July 1, 2001. The department of management shall adjust the supplementary weighting of a school district or the school district acting as the fiscal agent for a consortium eligible under this paragraph in a manner to assure that the district or the consortium receives the total sum of fifty thousand dollars as guaranteed in this paragraph. If the consortium elects not to continue a school-based youth service program, the funds shall be distributed equally to the school districts in the consortium. This paragraph is repealed effective July 1, 2002, for budget years beginning on or after that date. To the extent possible, the total amount of moneys generated by the enactment of this subsection, including this paragraph, shall be equivalent to the amount generated under this subsection without the inclusion of this paragraph. The department of management shall adjust the weighting assigned in this subsection to reflect this intent.

5. SHARED CLASSES DELIVERED OVER THE IOWA COMMUNICATIONS NETWORK. A pupil attending a class in which students from one or more other school districts are enrolled and which is taught via the Iowa communications network is not deemed to be attending a class in another school district or in a community college for the purposes of this section and the school district is not eligible for supplementary weighting for that class under this section.

6. PUPILS INELIGIBLE. A pupil eligible for the weighting plan provided in section 256B.9 is not eligible for supplementary weighting pursuant to this section. A pupil attending an alternative program or an at-risk pupils' program, including alternative high school programs, is not eligible for supplementary weighting under subsection 2.

7. SCHOOL FINANCE APPROPRIATIONS REPORT. The department of education shall annually prepare a report regarding school finance provisions or programs receiving a standing appropriation, including supplementary weighting programs. The report shall provide information regarding amounts received or accessed by school districts pursuant to the provisions or programs, whether the amounts received represent an increase or decrease over amounts received during the previous budget year and the percentage increase or decrease, conclusions regarding the adequacy of amounts received by school districts and whether the amounts received are equitable between school districts based upon input from the school districts and analysis by the department, and the rationale for current trends

being observed by the department and projections regarding possible trends in the future. The report shall be submitted to the general assembly by January 1 each year, and copies of the report shall be forwarded to the chairpersons and members of the committee on education in the senate and in the house of representatives.

Sec. 2. Section 279.51, subsection 1, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, ~~1998~~ 2000, and each succeeding fiscal year, the sum of ~~fifteen~~ twelve million ~~three~~ five hundred sixty thousand dollars.

Sec. 3. Section 279.51, subsection 1, paragraphs c and e, Code Supplement 1999, are amended by striking the paragraphs.

Sec. 4. Section 279.51, subsection 3, Code Supplement 1999, is amended by striking the subsection.

Sec. 5. Section 257.12, Code 1999, is repealed.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 18, 2000

CHAPTER 1199

BOARD OF EDUCATIONAL EXAMINERS — INVESTIGATIVE INFORMATION

S.F. 292

AN ACT providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 272.13, Code 1999, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. All complaint files, investigation files, other investigation reports, and other investigative information in the possession of the board or its employees or agents, which relate to licensee discipline, are privileged and confidential, and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the respondent and the board and its employees and agents involved in licensee discipline, and are not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline. However, investigative information in the possession of the board or its employees or agents which relates to licensee discipline may be disclosed to appropriate licensing authorities within this state, the appropriate licensing authority in another state, the District of Columbia, or a territory or country in which the licensee is licensed or has applied for a license. A final written decision and finding of fact of the board in a disciplinary proceeding is a public record.

Approved May 19, 2000